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Thirty-Eighth

Congress of the United States of America

AT SEATTLE
DISTRICT
BY WESTERN DISTRICT OF WASHINGTON
DEPUTY

At the Second Session,

Begun and held at the City of Washington, on Monday, the fifth day of December, one thousand eight hundred and sixty-four.

A RESOLUTION

*Submitting to the legislatures of the several States a proposition to amend the Constitution of the United States.**Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,**(two-thirds of both Houses concurring), that the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which when ratified by three-fourths of said legislatures shall be added to all intents and purposes, as a part of the said Constitution, to-wit: Article XIII. Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Section 2. Congress shall have power to enforce this article by appropriate legislation.**Speaker of the House of Representatives**H. Hamilton**Vice President of the United States
and President of the Senate**Approved February 1, 1865.**Abraham Lincoln*

EVIDENCE Exhibit 4



12-CV-02048-EXH 4

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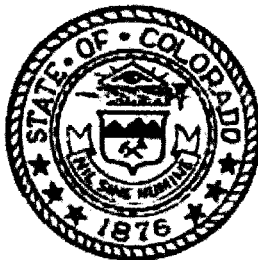
EL PASO COUNTY, TEXAS

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPU

TERRITORY
1861



STATE
1876

DEPARTMENT OF PERSONNEL

DIVISION OF
**STATE ARCHIVES
AND
PUBLIC RECORDS**

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*I Hereby Certify that the annexed copy
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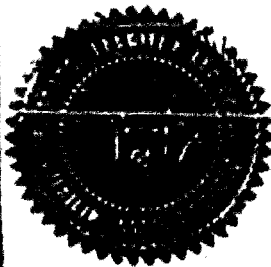
COLORADO TERRITORY LEGISLATIVE ASSEMBLY, TERRITORY OF COLORADO
deposited therein

GENERAL LAWS, JOINT RESOLUTIONS, MEMORIALS, AND PRIVATE ACTS, PASSED AT THE
FIRST SESSION OF THE LEGISLATIVE ASSEMBLY, DENVER, COLORADO TERRITORY,
SEPTEMBER 9, 1861.

TITLE PAGE, PAGES 20, 21, 2 [SIC], AND 35.
TOTAL 5 PAGES.

EVIDENCE Exhibit

4



Tony Hildner
STATE ARCHIVIST OF COLORADO

OCTOBER 4, 1995
DATE

32x10

25x10

GENERAL LAWS, JOINT RESOLUTIONS, MEMORIALS

500
6744 970

AND PRIVATE ACTS.

PASSED AT THE FIRST SESSION

LEGISLATIVE ASSEMBLY

IN THE
TERRITORY OF COLORADO.

RECEIVED AND GIVE AT

DENVER, COLORADO TERR. SEPT. 20th, 1861.

TOGETHER WITH

THE DECLARATION OF INDEPENDENCE,

THE CONSTITUTION OF THE UNITED STATES.

AND THE

ORGANIC ACT OF THE TERRITORY.

PUBLISHED BY AUTHORITY.

DENVER:

THOS. GIBSON, COLORADO REPUBLICAN AND HERALD OFFICE.
1861.

REARY
COURT
AL DISTRICT

LAW LIBRARY

DISTRICT OF COLUMBIA

SECOND JUDICIAL DISTRICT

The free exercise
of religion, free
speech, of the
press, of the
right to peacefully
assemble, and the
petition the govern-
ment for redress of
grievances.

ARTICLE I.
Congress shall make no law respecting an establish-
ment of religion, or prohibiting the free exercise there-
of, or abridging the freedom of speech, or of the press,
or the right of the people peaceably to assemble and
petition the government for a redress of grievances.

Right to bear arms

ARTICLE II.
A well regulated militia being necessary to the secu-
rity of a free State, the right of the people to keep and
bear arms shall not be infringed.

Of quarter and
care in time of
war.

ARTICLE III.
No soldier shall, in time of peace, be quartered in
any house without the consent of the owner; nor in
time of war, but in a manner to be prescribed by law.

How warrant
to search arrest, or
seize.

ARTICLE IV.
The right of the people to be secure in their per-
sons, houses, papers and effects, against unreasonable
searches and seizures, shall not be violated, and no
warrant shall issue but upon probable cause, supported
by oath or affirmation, and particularly describing the
place to be searched, and the persons or things to be
seized.

Capital and in-
famous crimes.

ARTICLE V.
No person shall be held to answer for a capital or
otherwise infamous crime, unless on a presentment or
indictment of a grand jury, except in cases arising in
the land or naval forces, or in the militia, when in ac-
tual service, in time of war or public danger; nor shall
any person be subject for the same offence to be twice
put in jeopardy of life or limb; nor shall be compelled,
in any criminal case, to be a witness against himself;
nor be deprived of life, liberty or property, without
due process of law; nor shall private property be taken
for public use without just compensation.

Right of the
accused in criminal
cases.

ARTICLE VI.
In all criminal prosecutions, the accused shall enjoy
the right to a speedy and public trial, by an impartial

ARTICLE VII

jury of the State and district in
which the crime shall have been committed, which jury
shall be preserved, and no
jury shall be otherwise impeached or
disqualified with the witnesses ap-
pointed by the court, and to have the assistance of
counsel.

ARTICLE VIII

In civil actions at common law, with
jury, shall exceed twenty dollars,
jury shall be preserved; and no
jury shall be otherwise impeached or
disqualified with the witnesses ap-
pointed by the court, and to have the assistance of
counsel.

ARTICLE IX

Excessive bail shall not be re-
quired, nor excessive fines imposed,
nor cruel and unusual pun-
ishments inflicted.

ARTICLE X

The enumeration in the constitution
shall not be construed to deny or
impaired by the people.

ARTICLE XI

The powers not delegated to
the constitution, nor prohibited
to the States, are reserved to the States respec-
tively.

ARTICLE XII

The judicial power of the United
States shall extend to all cases
arising under this constitution,
between citizens of different States,
between a State and citizens of
any foreign State, and between
States.

ARTICLE XIII

1. The electors shall meet in
person and vote by ballot for President
and Vice President, one of whom, at least, shall not be
an inhabitant of the same State as themselves; they
shall also vote by separate ballots the person voted for as
President, and they shall make distinct list
of the President, and of all persons
electors, and of the number of
electors they shall sign and certify.

6744 970

ARTICLE VI.

and an establish-
ment of the re-
cords of the people,
to assemble and
of grievances.

every to the re-
public to keep and

e, be quartered in
be owners; nor in
prescribed by law.

secure in their per-
sonal, unreasonable
searched, and no
because, supported
larly describing the
use of things to be

over for a capital or
in a presentment or
in cases arising in
militia, when in ac-
tual danger; nor shall
reference to be twice
be compelled,
against himself;
property, without
property be taken
therein.

in person, or by
trial, by an impartial

AMENDMENT TO THE CONSTITUTION

Jury of the State and district whereon the crime shall
have been committed, which district shall have been
previously ascertained by law, and to be informed of
the nature and cause of the accusation; to be con-
fronted with the witnesses against him; to have a
public trial; to have the assistance of counsel for his defense.

ARTICLE VII

In suits at common law, where the value in controversy
shall exceed twenty dollars, the right of trial by
jury shall be preserved; and no fact tried by a jury
shall be otherwise re-examined in any court of the
United States, than according to the rules of the com-
mon law.

ARTICLE VIII

Excessive bail shall not be required, nor excessive
fines imposed, nor cruel and unusual punishments in-
flicted.

ARTICLE IX

The enumeration in the constitution of certain rights
shall not be construed to deny or disparage others re-
tained by the people.

ARTICLE X

The powers not delegated to the United States by
the constitution, nor prohibited by it to the States,
are reserved to the States respectively, or to the people.

ARTICLE XI

The judicial power of the United States shall not be
construed to extend to any suit in law or equity, com-
menced or prosecuted against one of the United States
by citizens of another State, or by citizens or subjects
of any foreign State.

ARTICLE XII

1. The electors shall meet in their respective States
and vote by ballot for President and Vice President,
one of whom at least shall not be an inhabitant of the
same State as themselves; they shall make in their
ballots distinct votes for each person voted for as President,
and they shall make distinct lists of all persons voted
for as President, and of all persons voted for as Vice
President, and of the number of votes for each, which
lists they shall sign and certify, and transmit sealed to

of the Vice President

2. The person having the greatest number of votes as Vice President, shall be Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers in the list, the Senate shall choose the Vice President: a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice President of the United States.

In what cases pro-
cesses fulfill their
obligations.

If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

NOTE.—The 11th article of the amendments to the Constitution was proposed at the second session of the third Congress; the 12th article, at the first session of the eighth Congress; and the 13th article, at the second session of the eleventh Congress.

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hall, cells, exchange, torts, imports or waste, sales, raising a claim, such supplies as may United States army, parliament, such per- to district court, ad- it of this Territory, licensed for a period all tortion and pay, subside, a claim, tion of such reason, licensed for a period and pay for the one, and a claim, and

and monitored into the future and subject to continuing review of all activities and other projects, both on and off-site, to ensure that the site is being managed and monitored in the proper manner and with the plant in

been made for the identification of the first section of this liquor act, and act can establish by good and competent witnesses that the spirituous liquors or wine were obtained from him. The penalty is a soldier who did not work at the time of obtaining such spirituous liquors or wine, the person or other badge used to distinguish him from a civilian, and that he did not know such person to be a soldier, such person so complained against shall not be liable for the penalties enumerated in this act.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved, September 23d, 1961.

Adopting the Common Law of England.
Be it enacted by the Council and House of Representatives
of Colorado Territory:

Section 1. That the Common Law of England, as far as the same is applicable and of a general nature, and all acts and statutes of the British Parliament, made in aid of or to supply the defects of the Common Law, prior to the fourth year of James the First, (excepting the second section of the sixth chapter of forty-third Elizabeth, the eighth chapter of thirteenth Elizabeth, and ninth chapter of thirty-seventh Henry Eighth,) and which are of a general nature, and not local to that Kingdom, shall be the rule of decision, and shall be considered as of full force until repealed by legislative authority.

Sec. 2 This act shall be in force from and after its passage.

Approved, October 11th, 1961

To organize the Militia.

As it enacted by the Council and House of Representatives
of Colorado Territory:

SECTION 1. Every able bodied male citizen of Colorado between the ages of eighteen and forty-five years, except those who are by this act exempt therefrom, shall be subject and liable to perform in military duty as a soldier, to uphold the constitution and laws of the United States and the Organic Act and laws of this Territory, according to the terms and provisions of this act. And every citizen above forty-five years of age